

36. J. White Inv.

INCIDENT DATA

MO

VICTIM

OTHERS INVOLVED

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# INCIDENT/INVESTIGATION REPORT

Page 2

OCA  
18013870

Status Codes		L = Lost S = Stolen R = Recovered D = Damaged Z = Seized B = Burned C = Counterfeit / Forged F = Found												
DRUGS	DCI	Status	Quantity	Type Measure	Suspected Type				Check up to 3 types of activity for each					
									Possess	Buy	Sale	Mfg.	Importing	Operating
OFFENDER	Offender Used Alcohol/Drugs		<input type="checkbox"/> Yes <input type="checkbox"/> Unk <input type="checkbox"/> No <input type="checkbox"/> N/A		Offender 1								Primary Offender Resident Status	
	Computer		<input type="checkbox"/> Yes <input type="checkbox"/> Unk <input type="checkbox"/> No <input type="checkbox"/> N/A		Age: 41 Race: B Sex: F				Age: Race: Sex:				<input type="checkbox"/> Resident <input type="checkbox"/> Non-Resident <input type="checkbox"/> Unknown	
SUSPECT	Name (Last, First, Middle)				Alias or Nickname				Home Address					
	OLIVER, LATWANYA SHAWNTEL				LATWANYA L OLIVER ; LATWANYA SHA				52 DAISY LANE, HENDERSON, NC 27537					
	Occupation				Business Address									
					PACIFIC COAST FEATHERS - 100 COMFORT DR, Henderson, NC 27536									
	DOB / Age		Race	Sex	Height	Weight	Build	Hair Color	Hair Style	Hair Length	Eye Color	Glasses		
	02/05/1977   41		B	F	5'07"	275		BRO	STR	LNG	BRO	Yes		
	Scars, Marks, Tattoos, or other distinguishing features (i.e. limp, foreign accent, voice characteristics)													
	Hat	Jacket	Shirt/Blouse	Tie/Scarf	Coat/Suit	Pants/Dress/Skirt	Socks	Shoes						
	Was Suspect Armed?		Type of Weapon				Direction of Travel			Mode of Travel				
	VYR	Make	Model	Style	Color	Lic/Lie	Vin							
WITNESS	Name (last, first, middle)				DOB / Age		Race	Sex	OCA					
	Home Address				Home Phone		Employer		Phone					
	Suspect Hate / Bias Motivated: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>													
NARRATIVE	Narrative													
	CFS # 1810-049445													
	MSHEARIN6865 - 2018-10-22 20:22:50													
	S33ADV SEND HIM SOME UNITS AT HIS LOCATION													
	MSHEARIN6865 - 2018-10-22 20:24:56													
	S33 IS REQUESTING EMS 10-18 TRAFFIC REF USE OF FORCE													
	JCROTTY9997 - 2018-10-22 20:39:55													
	OLIVER, LATWANYA SHAWNTEL 02/05/1977 BLACK FEMALE 26617872 NC 52 DAISY LN													
	HENDERSON, NC 27537-3095 239-25-2354 VANCE													
	17CR53133 WARRANT FOR ARREST OBTAIN PROPERTY FALSE PRETENSE NO NO NCAWARE ELECTRONIC													
	98 OLIVER, LATWANYA SHAWNTEL 02/05/1977 BLACK FEMALE 26617872 NC 52 DAISY LN													
	HENDERSON, NC 27537-3095 239-25-2354 VANCE													
	17CR53134 WARRANT FOR ARREST OBTAIN PROPERTY FALSE PRETENSE NO NO NCAWARE ELECTRONIC													
	CAD Disposition = B ARREST MADE													
	On 10-22-18, 2016 hours, I notified dispatch of a warrant service at 52 Daisy Lane, Henderson, NC 27537. I knocked on the front door and													
I heard a female ask, who is it? I identified myself as Deputy White with the Vance County Sheriffs Office. The female asked again, who is it?														
I re-advised the aforementioned. The female stated, I don't believe you, shine your light so I														

# CONTINUATION PAGE

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<p><b>Narrative</b></p> <p>can see you. I adhered to her request and she said, oh ok and opened the front door. The female turned out to be Ms. Latwanya Shawntel Oliver, who was wanted on 2 felony counts of obtaining property by false pretense. Prior to going to the residence, I asked dispatch to verify the felony warrants and they advised same were active. I told Ms. Oliver she had felony warrants and she stated, Lawd, what have I done-I aint done nothing wrong. I stated, you are under arrest and will find out further at the magistrates office. Ms. Oliver stated, I haven't done nothing-can I call my daughter and let her know. I told her she can make a phone call at the station. She said, well, ok, let me get my keys, turn off my lights, lock up my house and stuff. Can I do that? Because you are just ugh. I replied, yes, you can do that. Ms. Oliver turned off some of her lights and walked out of the front door and I asked, aren't you going to lock up and she turned around and said, I forgot, let me get my keys of the dresser and she said we are going to have to go out of the back door because something is wrong with the front door. When we walked out of the back door, she did not pull it all the way through and I pulled it for her and asked, do you have a deadbolt key and she said yes but something is wrong with it. As she was approaching my patrol vehicle, I told her to stop and submit to the handcuffs. She replied, why do you have to handcuff me? I told her it is for my safety as well as yours (standard procedure). I was able to get one handcuff on her and she became irate and would not comply with my lawful orders. She screamed to the top of her lungs help, help, help me-your not taking me anywhere until' I see some papers-I'm not going anywhere. I told her to calm down and that she was making the situation worst. I told her cooperation goes along way with law enforcement when you go before the magistrate or judge. Ms. Oliver stated, ok, sir, I apologize. I went to handcuff the second arm and she went crazy, she lost it. She pulled away from me while saying no, no, I'm not going, leave me alone. I placed her up against my car, opened the rear passenger door instructed her to get in and she became extremely combative by yelling no, I'm not going no where, help, help. She pushed her body against mines and striked me in the lower leg twice. I performed a takedown maneuver, which is an approved subject control technique. To prevent additional manipulation of the handcuffs, I tightened them while on the ground. Ms. Oliver stated, you broke my arms, oooowwwwww, oooowwwwww my arms are killing me, they are hurting sir, I think my arms are sprained, I'm in so much pain. I immediately radioed for EMS 10-18 due to injuries sustained from a use of force (2024 hours). Prior to, I called for back up at 2022 hours. Sgt. Welborn arrived on scene first as back up and I told him, she has felony warrants, refused to comply, pulled away and assaulted me. EMS arrived and stated, her arm is not broke because she can move her shoulders. Ms. Oliver continued to scream in pain and the EMS Supervisor re-examined her arm and said, yep, it is broken. Ms. Oliver was transported to Maria Parham Hospital in Henderson, NC for further medical treatment. I acted in good faith to arrest Ms. Oliver and when she refused I took action as authorized. I used reasonable force to achieve the law enforcement objective and to gain compliance and to ensure public safety. I afforded her every opportunity to comply with my lawful orders and she refused. I do not have a taser and pepper spray would have been ineffective as she was moving uncontrollably and had glasses on, which would have caused same to ricochet (more likely than not). Officer presence and verbalization did not work. Thus, I had to go hands on. I made a good faith effort to maintain and restore order. I followed the objective reasonableness standard under the 4th Amendment to arrest the defendant and to seize her person due to the outstanding felony warrants notwithstanding other violation of law (assault on a law enforcement officer and resisting arrest). It should be noted, Ms. Oliver has a record of communicating</p>			
Officer Name / ID DEPUTY J. J. WHITE - 259	Officer Signature 	Date / Time Submitted 10-23-18 / 0900 hrs	Page 3 of 5

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Narrative

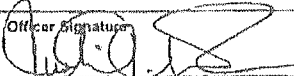
threats, simple assault and assault with a deadly weapon (aggravating factors on her part and mitigating factors for me). Ms. Oliver filed a verbal frivolous complaint against me for pulling her over and harrasing her at the Shell Gas Station on Warrenton Road. I did not pull her over, I never turned on my lights and sirens. I noticed a car traveling at a high rate of speed on North Garnett Street passing Parker and Bickett Streets, Old Norlina Road and Spring Valley Drive. On 10-21-2018, 2130 hours approximately, I was patrolling Old Norlina Road going towards Main Street (the intersection of Garnett, Beckford, Main, Chestnut). The vehicle was clearly exceeding safe speed. I brought my vehicle up to 60 mph and had trouble keeping up with her in a 35 MPH Zone. It was not until' she almost rear-ended a dark in color truck at the Handy Mart beside Forsyth Skippers that she slowed down but picked the speed right back up. It should be noted, she has a horrible DMV record, 15 speeding tickets, various running a red light/stop signs and several accidents. Had I known this at the time, I would have pulled her and took appropriate action. I ran the tag, which came back active and valid. I asked dispatch to run the registered owner for warrants, which came back negative. Ms. Oliver pulled into the Shell Gas Station and I pulled around to the Carey Chapel Road entrance for the station and saw her exit the vehicle (FFS-2692) and told her to slow it down and to watch her speed. I was trying to have open dialogue with her (community oriented policing ) and she started screaming and yelling for no reason, I know my rights, you should have pulled me back there and wrote the ticket, I know my rights. I advised her it was not to late to write the ticket but I'm trying to talk to you about not speeding in the future. She said, well, write the ticket then and you have a good day. Due to dispatch failing to properly do a warrant check (public safety issue), I was unaware she had felony warrants. It is unfortunate that injuries occurred, however, I have a job to do and the general welfare of the public is first and violators must be apprehended pursuant to standard operating procedures, general statue, common law and judicial precedent (state and federal case law). See Use of Force Report. This is an account of what happened and I reserve the right to amend this statement (addendum) as the situation happened so quickly.

SUPPLEMENT #3    SGT. C. M. WELBORN - 170    10/23/2018    04:37

ON 10-22-2018, I RESPONDED TO 52 DAISY LANE REFERENCE DEPUTY WHITE CALLING FOR ASSISTANCE. WHILE ENROUTE DEPUTY WHITE CALLED FOR EMS EMERGENCY TRAFFIC REFERENCE TO USE OF FORCE AND EMS WOULD BE TOLD MORE ONCE ON SCENE. WHEN I ARRIVED ON SCENE VANCE COUNTY EMS WAS ALREADY ON SCENE. WHEN I ARRIVED I NOTICE A BLACK FEMALE LAYING ON THE GROUND HANDCUFFED AND SHE WAS IDENTIFIED AS LATWANYA OLIVER. SHE WAS HOLLERING STATING HER ARM WAS BROKE. I ASKED DEPUTY WHITE WHAT HAPPENED AND HE STATED HE ATTEMPTED TO SERVE MRS. OLIVER WITH FELONY WARRANTS. DEPUTY WHITE STATED MRS. OLIVER STARTED RESISTING AND BECAME COMBATIVE KICKING HIM TWICE. DEPUTY WHITE STATED HE TOOK HER TO THE GROUND AND HANDCUFFED HER. DEPUTY WHITE STATED HE CALLED FOR ASSISTANCE AND EMS. VANCE COUNTY EMS FIRST STATED MRS. OLIVER ARM WAS NOT BROKEN THEN CHIEF OVERTON STATED HER ARM WAS BROKEN. MRS. OLIVER WAS TRANSPORTED TO MARIA PARHAM MEDICAL CENTER FOR FURTHER TREATMENT. WHEN I ARRIVED AT THE HOSPITAL I SPOKE WITH MRS. OLIVER. SHE STATED THAT DEPUTY WHITE WAS HARASSING HER. SHE STATED DEPUTY WHITE FOLLOWED HER ON SUNDAY FROM JOHN FOSTER HOMES UNTIL SHE PULLED INTO S&N FOOD MART ABOUT EIGHT OR NINE OCLOCK ON 10-21-2018. MRS. OLIVER STATED DEPUTY WHITE UP TO HER IN THE PARKING LOT TELLING HER ABOUT HER SPEEDING. SHE STATED WRITE ME A TICKET BECAUSE I KNOW MY RIGHTS. MRS.

Officer Name / ID <b>DEPUTY J. J. WHITE - 259</b>	 <small>Officer Signature</small>	Date / Time Submitted <b>10-23-18 / 0600h</b>	Page <u>4</u> of <u>5</u>
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<p><b>Narrative</b></p> <p>OLIVER STATED DEPUTY THEN CAME TO HER RESIDENCE AFTER MIDNIGHT BANGING ON THE FRONT AND SIDE DOOR. MRS. OLIVER STATED SHE DID NOT LOOK TO SEE WHO IT WAS BUT KNEW IT WAS DEPUTY WHITE. MRS. OLIVER STATED DEPUTY WHITE CAME BACK TO HER RESIDENCE LATER AND STATED YOU HAVE A WARRANT. MRS. OLIVER STATED SHE LOCKED THE DOOR AND WALKED TO THE CAR. MRS. OLIVER STATED SHE ASKED TO SEE THE WARRANT. MRS. OLIVER STATED WHEN SHE GOT TO THE PATROL VEHICLE AND SHE DID NOT GET IN BECAUSE SHE WAS SCARED. MRS. OLIVER STATED SHE TOLD DEPUTY WHITE TO CALL FOR SOMEONE ELSE. SHE STATED DEPUTY WHITE PUSHED HER INTO THE PATROL VEHICLE WHEN SHE REFUSED TO GET IN. SHE STATED SHE WAS NOT HANDCUFFED AND DEPUTY WHITE SLAMMED HER TO THE GROUND. SHE STATED WHILE ON THE GROUND DEPUTY WHITE HANDCUFFED HER. I SPOKE WITH CHIQUITA MARROW MRS. OLIVER SISTER (252) 432-0289 AND SHE STATED DEPUTY WHITE CAME TO THE RESIDENCE AFTER MIDNIGHT KNOCKING ON BOTH DOORS AND NOBODY WENT TO THE DOOR AND NOBODY LOOKED OUT TO SEE HIM. MRS. OLIVER WAS SERVED WITH THE TWO FELONY WARRANTS AND THE CHARGES FOR OBSTRUCTING OF JUSTICE AND ASSAULT ON LAW ENFORCEMENT OFFICER. SHE WAS GIVEN A \$15,000.00 UNSECURED BOND PER MAGISTATE COWAN. MRS. OLIVER WAS GIVEN A COURT DATE OF 11-19-2018.</p>			
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